


AP12 Rec'd PCT/PTO 30 MAY 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Tri-Pen TravelMaster Tech. § GROUP ART UNIT: Unassigned  
§  
SERIAL NO.: 10/582,412 §  
§ CONFIRM. NO.: Unassigned  
FILED: June 9, 2006 §  
§  
FOR: Travel Monitoring § EXAMINER: Unassigned

CERTIFICATE OF MAIL BY EXPRESS MAIL	
EB816681612US	May 30, 2007
Express Mail No.	Date of Deposit
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service postage prepaid in an envelope under 35 C.F.R. §1.10 on the date indicated above and is addressed to:	
MAIL STOP PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 By: Yvonne R. Ferrera	May 30, 2007 Date of Signature

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: May 30, 2008  
Docket No.: 10231-28

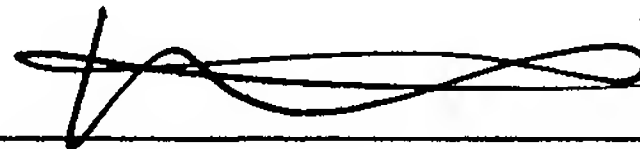
Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 mailed November 30, 2007, and whatever extension of time is necessary to make this Response timely, for which Applicant petitions a four-month extension, said Petition which is attached, Applicant respectfully submits a Declaration and Power of Attorney identifying the application by the application number and filing date executed by one of the inventors, Victoria A. Wofford.

In accordance with 37 CFR § 1.47, one of the named inventors in this application, Ashton R. Adams, is no longer employed by the Applicant and after diligent effort as supported by the enclosed Petition and Declaration is unable or unwilling to execute said Declaration.

The Commissioner is authorized to charge the surcharge for late submission of the Power of Attorney of \$130.00 and the four-month extension fee of \$1,640.00 to Deposit Account No. 50-2413 of Adams and Reese LLP. Further, the Commissioner is authorized to charge any additional fees or credit any overpayment, to Deposit Account 50-2413 of Adams and Reese LLP.

Respectfully submitted,



---

David M. Ostfeld, Reg. 27,827  
Attorney for Applicant  
Adams and Reese LLP  
4400 One Houston Center  
1221 McKinney  
Houston, Texas 77010  
(713) 308-0128

DMO:yrf  
Enclosures

530588.01

06/03/2008 LLANDGRA 00000059 502413 10582412

01 FC:1617 130.00 DA



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/582,412	Tri-Pen TravelMaster Technologies	1023128

David M. Ostfeld  
Adams and Reese  
4400 One Houston Center  
1221 McKinney  
Houston, TX 77010

INTERNATIONAL APPLICATION NO.	
PCT/US05/04950	

I.A. FILING DATE	PRIORITY DATE
02/16/2005	02/17/2004

CONFIRMATION NO. 1096  
371 FORMALITIES LETTER



Date Mailed: 11/29/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 06/09/2006
- Copy of the International Search Report filed on 06/09/2006
- U.S. Basic National Fees filed on 06/09/2006
- Priority Documents filed on 06/09/2006
- Power of Attorney filed on 06/09/2006
- Specification filed on 06/09/2006
- Claims filed on 06/09/2006
- Abstracts filed on 06/09/2006
- Drawings filed on 06/09/2006

Action:

Due Date:

Reminder(s):

Docketed:

Initials:

*Response to Murunghele*  
*1-29-08*  
*12-29-07, 1-15-08*  
*12-18-07*  
*[Signature]*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

---

Telephone: (703) 308-9140 EXT 225

# **Attachment A1**

# ADAMS AND REESE LLP

## Attorneys at Law

Baton Rouge

Birmingham

**Houston**

Jackson

Memphis

Mobile

Nashville

New Orleans

Washington, DC

December 21, 2007

**David M. Ostfeld**

Direct (713) 308-0128

E-Fax (713) 308-4052

david.ostfeld@arlaw.com

Ms. Victoria Wofford  
Tri-Pen Management Corp.  
590 Madison Avenue  
Suite 2100  
New York, NY 10022

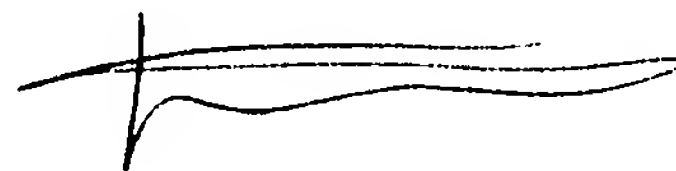
**Re:** Serial No.: 10/582,412  
Title: Travel Monitoring  
Filing Date: June 9, 2006  
Our Ref: 1023-28  
**Response Due: January 28, 2008**

Dear Victoria:

Enclosed is a copy of a Notice of Missing Requirements Under 35 U.S.C. 371 recently received in the above referenced case. As you can see, the Office has required submission of the Declaration and Power of Attorney prior to the deadline of January 28, 2008. Please execute the enclosed Declaration and Power of Attorney and return to us well in advance of the deadline so that we may file the Response. If necessary, a one-month extension may be obtained with payment of surcharge.

In the meantime, if you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,



David M. Ostfeld

DMO:yrf  
Enclosure

cc/encl: Ashton R. Adams

494413.01

# **Attachment A2**

**David Ostfeld**

---

**From:** Cynthia Baldemor  
**Sent:** Friday, April 25, 2008 9:18 AM  
**To:** aadams007@yahoo.com  
**Cc:** David Ostfeld; Victoria Wofford; bruce.r@rosenthal-group.com; Derrick Reed  
**Subject:** Tri-Pen Management Corporation  
**Attachments:** Letter&TravelMonitoring.pdf; TravelMonitoring-2.pdf

Dear Mr. Adams:

Attached is a letter in connection with PCT Application No. US05/04950, titled "Travel Monitoring." Also attached are complete copies of the documents regarding same. Please note I am also sending these documents to you via Federal Express today.

Please let me know if you have any questions or comments.

Sincerely,

David M. Ostfeld  
Adams and Reese LLP  
4400 One Houston Center  
1221 McKinney Street  
Houston, Texas 77010  
Main: (713) 652-5151  
Direct: (713) 308-0128  
Fax: (713) 652-5152  
URL: [www.arlaw.com](http://www.arlaw.com)  
Email: [david.ostfeld@arlaw.com](mailto:david.ostfeld@arlaw.com)

4/25/2008



# ADAMS AND REESE LLP

## Attorneys at Law

Baton Rouge

Birmingham

**Houston**

Jackson

Memphis

Mobile

Nashville

New Orleans

Washington, DC

April 23, 2008

Mr. Ashton Adams  
6208 Red Canyon Drive, #C  
Highlands Ranch, CO 80130

*Via Federal Express*

**David M. Ostfeld**

Direct (713) 308-0128

E-Fax (713) 308-4052

david.ostfeld@arlaw.com

**Re:** PCT Application No.: US05/04950  
U.S. Application No.: 10/582,412  
Title: Travel Monitoring  
Filing Date: February 16, 2005  
Our Ref: 10231-28

Dear Mr. Adams:

We have been retained as counsel to represent Tri-Pen Management Corporation in the foreign prosecution of their PCT Application No. US05/04950, titled "Travel Monitoring," filed on February 16, 2005.

Enclosed you will find complete copies of the documents (specification, claims, drawings, and declaration) related to PCT Application No. US05/04950, in which you are a named inventor. Please review the enclosed documents for your approval and sign and return the "Declaration and Power of Attorney" to the above address by Friday, May 2, 2008. If you do not approve of the "Declaration and Power of Attorney", or a related document, please contact me at 713-308-0128.

Thank you for your immediate attention to this matter.

Sincerely,



David M. Ostfeld

/Enclosure/

# **Attachment A3**

# **Attachment A4**

**E-MAILED**  
5/22/08

CB

**Cynthia Baldemor**

---

**From:** Cynthia Baldemor on behalf of David Ostfeld  
**Sent:** Thursday, May 22, 2008 12:03 PM  
**To:** 'Ashton Adams'  
**Cc:** Derrick Reed; Yvonne Ferrera  
**Subject:** RE: Tri-Pen Management Corporation  
**Attachments:** Declaration and POA.pdf; Drawings.pdf; Travel-Monitoring.pdf

Ashton,

I am resending to you the documents I sent via federal express to your Highlands Ranch, Colorado address. Please review the enclosed documents for your approval and sign and return the "Declaration and Power of Attorney" to the below address immediately.

The U.S. Patent & Trademark Office requires the Declaration be executed by each inventor in a patent application. By signing the document you are stating that you are an inventor in the patent application for "Travel Monitoring" and appoint me to prosecute and transact all business with the U.S. Patent & Trademark Office on your behalf with respect to the application.

If you do not approve of the "Declaration and Power of Attorney", please contact me.

David M. Ostfeld  
Adams and Reese LLP  
1221 McKinney, Suite 4400  
Houston, TX 77002  
(713) 652-5151 (Main)  
(713) 308-0128 (Direct)  
(713) 652-5152 (Facsimile)  
email: [david.ostfeld@arlaw.com](mailto:david.ostfeld@arlaw.com)  
website: [www.adamsandreese.com](http://www.adamsandreese.com)

---

**From:** Ashton Adams [<mailto:aadams007@yahoo.com>]  
**Sent:** Wednesday, May 21, 2008 9:50 PM  
**To:** David Ostfeld  
**Subject:** Re: Tri-Pen Management Corporation

David,

Ooops.... sorry. I completely spaced this off. I am not understanding exactly what this is for. Can you give me a synopsis.

Thanks,

--Ashton

----- Original Message -----

From: David Ostfeld <[David.Ostfeld@arlaw.com](mailto:David.Ostfeld@arlaw.com)>  
To: [aadams007@yahoo.com](mailto:aadams007@yahoo.com)  
Cc: Derrick Reed <[Derrick.Reed@arlaw.com](mailto:Derrick.Reed@arlaw.com)>

5/22/2008

Sent: Thursday, May 22, 2008 4:39:13 AM  
Subject: FW: Tri-Pen Management Corporation

Please advise the status of this matter at your earliest convenience (see below).

Thank you,

*Cynthia Baldemor*

Assistant to David M. Ostfeld  
and Cleve Glenn  
Adams and Reese LLP  
4400 One Houston Center  
1221 McKinney Street  
Houston, Texas 77010  
Main: (713) 652-5151  
Direct: (713) 308-0140  
Fax: (713) 652-5152  
URL: [www.arlaw.com](http://www.arlaw.com)  
Email: [cynthia.baldemor@arlaw.com](mailto:cynthia.baldemor@arlaw.com)

---

**From:** David Ostfeld  
**Sent:** Monday, April 28, 2008 8:09 AM  
**To:** Ashton Adams  
**Subject:** RE: Tri-Pen Management Corporation

Ashton:

The signed copy scanned and in PDF will be fine.

Dave

---

**From:** Ashton Adams [<mailto:aadams007@yahoo.com>]  
**Sent:** Sunday, April 27, 2008 11:40 PM  
**To:** Cynthia Baldemor  
**Cc:** David Ostfeld; Victoria Wofford; [bruce.r@rosenthal-group.com](mailto:bruce.r@rosenthal-group.com); Derrick Reed  
**Subject:** Re: Tri-Pen Management Corporation

All,

I assume a signed copy that is scanned and in PDF format is good? As I do not live in the USA ... timely turnaround of signed physical documents will be timely and expensive.

regards,

--Ashton

----- Original Message -----

From: Cynthia Baldemor <[Cynthia.Baldemor@arlaw.com](mailto:Cynthia.Baldemor@arlaw.com)>  
To: [aadams007@yahoo.com](mailto:aadams007@yahoo.com)  
Cc: David Ostfeld <[David.Ostfeld@arlaw.com](mailto:David.Ostfeld@arlaw.com)>; Victoria Wofford <[VWofford@Tri-Pen.com](mailto:VWofford@Tri-Pen.com)>;

5/22/2008

bruce.r@rosenthal-group.com; Derrick Reed <Derrick.Reed@arlaw.com>  
Sent: Friday, April 25, 2008 9:17:35 PM  
Subject: Tri-Pen Management Corporation

Dear Mr. Adams:

Attached is a letter in connection with PCT Application No. US05/04950, titled "Travel Monitoring." Also attached are complete copies of the documents regarding same. Please note I am also sending these documents to you via Federal Express today.

Please let me know if you have any questions or comments.

Sincerely,

David M. Ostfeld  
Adams and Reese LLP  
4400 One Houston Center  
1221 McKinney Street  
Houston, Texas 77010  
Main: (713) 652-5151  
Direct: (713) 308-0128  
Fax: (713) 652-5152  
URL: [www.arlaw.com](http://www.arlaw.com)  
Email: [david.ostfeld@arlaw.com](mailto:david.ostfeld@arlaw.com)

ADAMS AND REESE LLP

**Baton Rouge | Birmingham | Houston | Jackson | Memphis | Mobile | Nashville | New Orleans | Washington, D.C.**

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